



WEB COPY



W.P.Nos.32023 & 32024 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE **R.SUBRAMANIAN**
AND
THE HONOURABLE MR.JUSTICE **K.KUMARESH BABU**

Writ Petition Nos.32023 and 32024 of 2022

P. Ganesan ... Petitioner in WP 32023/2022

C.Radhakrishnan ... Petitioner in WP 32024/2022

Versus

The Revenue Divisional Officer,
Tiruvannamalai,
Tiruvannamalai District. .. Respondent in both the Petitions

Prayer: Writ Petitions filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus,

(i) WP No.32023 of 2022: directing the respondent to issue community certificate to the petitioner and his children G.Nandhini and G.Vignsh that they belong to Kattunayakan (ST) Community based upon the report submitted by the Adi Dravidar Tribal Welfare Department, Tribal Research Centre in R.C.No.107/A2/2021 dated 28.10.2021.



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(ii) WP No.32024 of 2022: directing the respondent to issue community certificate to the petitioner and his children R.Sabari and R.Boomadevi that they belong to Kattunayakan (ST) Community based upon the report submitted by the Adi Dravidar Tribal Welfare Department, Tribal Research Centre in R.C.No.107/A2/2021 dated 28.10.2021.

For Petitioners : Mr.S.Doraisamy
(in each of the Petitions)

For Respondent : Ms.C.Sangamithirai
(in both the petitions) Special Govt. Pleader

COMMON ORDER

(Order of the Court was delivered by R.SUBRAMANIAN, J.)

The prayers in the Writ Petitions read as follows:

“WP No.32023 of 2022: directing the respondent to issue community certificate to the petitioner and his children G.Nandhini and G.Vignsh that they belong to Kattunayakan (ST) Community based upon the report submitted by the Adi Dravidar Tribal Welfare Department, Tribal Research Centre in R.C.No.107/A2/2021 dated 28.10.2021.



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WP No.32024 of 2022: directing the respondent to issue community certificate to the petitioner and his children R.Sabari and R.Boomadevi that they belong to Kattunayakan (ST) Community based upon the report submitted by the Adi Dravidar Tribal Welfare Department, Tribal Research Centre in R.C.No.107/A2/2021 dated 28.10.2021.

2. Mr.S.Doraisamy, learned counsel appearing for the petitioners would submit that the Anthropologist has reported that the petitioners belonged to Kattunayakan, a Scheduled Tribe Community. But the Revenue Divisional Officer, Thiruvannamalai, is keeping the matters pending without issuing a certificate.

3. Ms.C.Sangamithirai, learned Special Government Pleader would submit that the orders have been passed rejecting the applications of the petitioners on 04.11.2019 and on 10.05.2021. Since orders have been passed, we cannot issue the Mandamus as sought for, however, considering the claim of the petitioners that they have not been served with the copies of the order and the fact that the Special Government Pleader has handed over



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the copies of the order to the counsel for the petitioners today, we close these

Writ Petitions with liberty to the petitioners to file an Appeal before the District Collector in terms of G.O.Ms.No.147, within a period of 30 days from today. If the Appeals are filed within a period of 30 days from today, the District Collector, Thiruvannamali will entertain the Appeals without insisting on limitation and pass appropriate orders after giving an opportunity of hearing to the petitioners. Such order shall be passed within a period of 12 weeks from the date of filing of the Appeal. There shall be no order as to costs.

(R.SUBRAMANIAN, J.) (K.KUMARESH BABU,

J.)

jv

02.12.2022

Index: Yes/ No

Internet: Yes/No

Speaking Order/Non Speaking order

To

The Revenue Divisional Officer,

Tiruvannamalai,

Tiruvannamalai District.



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R.SUBRAMANIAN, J.
and
K.KUMARESH BABU, J.

jv

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